IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE FOURTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 7142 of 2005

Between:

Smt.Routhu Venkata Laxmi, w/o Yerraiah,
President of Ramyasri Dwacra Group, Korumaamidi Village, Nidadavolu Mandal, West Godavari District.

... PETITIONER

AND

1 The District Collector, West Godavari District at Eluru.
2 The District Panchayat Officer, Eluru, West Godavari District.
3 The Mandal Development Officer, Nidadavolu Mandal, W.G.District.
4 The Mandal Revenue Officer, Nidadavolu Mandal, West Godavari District.
5 The Korumamidi Gram Panchayat, re., by its Executive Officer, Korumamidi Village, Nidadavolu Mandal, West Godavari District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ of mandamus, or any other appropriate writ, order or direction, declaring the action of the 5th respondent in constructing the anganwadi in S.No.53/1 of Korumamidi Village, Nidadavolu Mandal, West Godavari District without having any right or authority and to declare the action of the respondents 1 to 4 authorities in not taking any action against the representation dated 28 & 29-03-2005 filed by the petitioner, as arbitrary, illegal, null and void and is against the principles of natural justice and norms of the public policy.

Counsel for the Petitioner: MR.VENKATESWARA RAO GUDAPATI

Counsel for the Respondents 1, 3 & 4: GP FOR REVENUE

Counsel for the Respondent No.2: GP FOR PANCHAYAT RAJ

Counsel for the Respondent No.5: Mr. D.Srinivas

The Court at the stage of admission made the following:

ORDER:

This writ petition is filed aggrieved by the alleged inaction on the part of the respondents in considering the objections raised by the petitioner and other members of the Ramyasri Dwacra Group, in Sy.No.53/1 of Korumaamidi Village, Nadadavolu Mandal, West Godavari District.

The petitioner states that all the members of the Dwacra Group made a representation to the first respondent-District Collector on 29-03-2005 raising objections for construction of the proposed Anganwadi building in Sy.No.53/1 of Korumaamidi Village. The grievance of the petitioner is that without considering the objections raised by them, the respondents are proceeding further and if the same is allowed and the Anganwadi building is constructed in the land in question, the women of the entire village would be put to undue hardship.

Having regard to the facts and circumstances of the case and having heard the learned counsel for both the parties the writ petition is disposed of with a direction to the respondents to consider the objections raised by the petitioner and other villagers in their representation dated 29-03-2005 and pass appropriate orders, in accordance with law. Till such orders are passed, the respondents are directed not to proceed with the proposed construction of the Anganwadi building in question in Sy.No.53/1 of Korumamidi Village, Nidadavolu Mandal, West Godavari District.

The Writ Petition is accordingly disposed of. No order as to costs.

_____

G. ROHINI, J

Dated: 04-04-2005

LSK

ASSISTANT REGISTRAR

To

1 The District Collector, West Godavari District at Eluru.
2 The District Panchayat Officer, Eluru, West Godavari District.
3 The Mandal Development Officer, Nidadavolu Mandal, W.G.District.
4 The Mandal Revenue Officer, Nidadavolu Mandal, West Godavari District.
5 Two C.Cs. to the G.P. for Revenue and Panchayat Raj, High Court Buildings, Hyderabad. (OUT)

6 Two C.D. copies.